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3763

Attorney Docket No. 55821 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTSS. Varner et al.

U.S.S.N.: 09/888,079

GROUP: 1616

FILED: October 5, 2000

EXAMINER: L. Kontos

FOR: METHOD AND DEVICE FOR SUBRETINAL DRUG DELIVERY

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify this correspondence and the documents referred to as attached herein are being deposited with the United States Postal Service as First Class Mail addressed to Commissioner for Patents, PO Box 1450, Alexandria VA 22313 on November 19, 2003.

By: Regina M. Edwards  
Regina M. Edwards

\*\*\*\*\*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
DEC 01 2003  
TECHNOLOGY CENTER R3700

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is  
☒ a small entity. A statement:  
[ ] is attached.  
[ ] was already filed.  
[ ] other than a small entity.

### EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) – If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply. (complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136  
(fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00

Fee: \$ 210.00

If an additional extension of time is required, please consider this a petition therefor.  
(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY				OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	O R	Rate	Addit. Fee
			\$9.00	\$		\$18.00	
Independent Claims Remaining After Amendment	Independent Claims Remaining After Amendment		\$42.00	\$		\$84.00	\$
First Presentation of Multiple Dependent Claim+			\$140.00	\$		\$280.00	\$
						Total Addit. Fee	

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☐ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required \$

#### FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 210.00 for the extension fee.  
☐ Charge Account No. 04-1105 the sum of \_\_\_\_\_ for claims fee.

Attorney Packet No.: 55821 (71699)  
U.S. Serial No.: 09/888,079  
Applicants: S. Varner et al.  
Filing Date: October 5, 2000  
Group Art Unit: 1616  
Examiner: L. Kontos

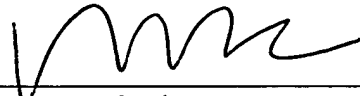
**FEE DEFICIENCY**

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. [X] If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- [ X ] If any additional fee for claims is required, charge Account No. 04-1105.

  
\_\_\_\_\_  
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November 19, 2003  
Customer No. 21874